

Minutes Spencer County Board of Zoning Appeals
August 23, 2007

Chairman Charlie Waninger called the Spencer County Zoning Appeals to order at 6:00pm. Members present Nathan Helms, Jerry Embry, Neil Colligon and Charles Waninger.

Minutes approved as presented.

Administrator Cail advised the board Attorney Wetherill would not be present at the meeting due to a conflict in meetings with Grandview.

First order of business- James Gardner petitions for a Variance to operate a firearms business on 4 acres in Ohio Township, Section 10, Twp, 7S, Range 6W at 2392 N Old State Rd, Rockport, Indiana. James Gardner was present at the meeting and stated he had let his licenses expire and wants to start his business back up. He would like to generate more income, he had lost interest and people could go to Wal- Mart and buy the same thing he was selling. He has been approached by previous customers asking him to open back up. He would now like to have a business again; he had been in business for 23 years under the Grandfather Clause. Gardner would not be working on guns, just selling shotguns, pistols and rifles and maybe some accessories. There will not be a shooting range. He than ask about a sign. Administrator Cail explained to him he needs to follow the ordinance on signs and gave him ordinance information on signs. Cail also stated Attorney Wetherill had reviewed variance and letters were sent out to adjoining property owners.

Chairman Waninger ask if anyone was against petition. No response. Jerry Embry made motion to accept petition Nathan Helms 2nd, motion carried all in favor.

Next order of business -James Wagner-Jaw's Collision Center Inc. petitions for a Variance to operate a Body Shop/Wrecker Service on 2.17 acres in Carter Township, Section 35, Twp. 4S, range 5W at 16675 N State Road 245 Santa Claus, Indiana. James Wagner was present to answer any questions the board may have for him. Wagner stated he was here to take care of any problems that needed to be addressed to operate his business. Wagner also said he would be operating a body shop and 24 hour wrecker service.

Nathan Helms ask Wagner why he ignored the first letter that was sent to him. Wagner responded he did send in a check. Administrator Cail stated we never received it. Wagner responded he had checked with the bank and the check was never cashed. He than stated he had heard there was a second letter but he didn't receive it.

Cail stated Attorney Wetherill had reviewed the situation and didn't see any problems with a variance for a wrecker service and body shop. She also stated all adjoining property owners were sent letters of petition. Waninger ask if anyone was against petition. No response. Neil Collignon made a motion to accept petition, Jerry Embry 2nd, all in favor, motion carried.

Old Business

Cail advised the board that she and Attorney Wetherill are still working on the Rules and Procedures.

New Business

Administrator Cail advised the board of a possible meeting next month regarding the exempt division section of our current zoning ordinance.

Next meeting September 27, 2007 at 6:00pm.

Motion to adjourn the meeting was made by Jerry Embry, Nathan Helms2nd, all in favor, motion carried.

Meeting adjourned 6:23

ej/tc